

10/529968

JC13 Rec'd PCT/PTO 31 MAR 2005  
Express Mail Label No. EV442802128US  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Weis et al.

**Application No.:** Not Yet Known

**Filed:** Not Yet Known

For: PLUMBING OUTLET FITTING

Group: Not Yet Known

Examiner: Not Yet Known

Our File: SMB-PT131  
(PC 03 298 B US)

Date: March 31, 2005

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56,  
Applicants wish to bring to the Examiner's attention the material cited on the enclosed  
PTO-1449 form. Copies of the cited documents are enclosed.

Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the cited U.S. publications and/or  
patent documents have not been included.

The references noted in the PTO-1449 were cited in an International Search  
Report dated December 2, 2002 and a German Office Action dated July 23, 2003, copies  
enclosed, from the corresponding applications. The pertinence of the references cited in

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Applicant: Weis et al.

Application No.: Not Yet Known

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the International Search Report are noted therein. A translation of the German Office

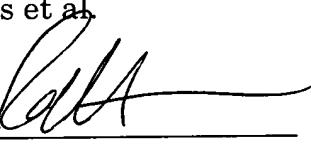
Action is enclosed which explains the pertinence of the references cited therein.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Weis et al.

By

  
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Enclosures

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| FORM PTO-1449<br><br>U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT<br><br>(Use several sheets if necessary) |  | ATTY. DOCKET NO.<br>SMB-PT131 | SERIAL NO.<br>Not Yet Known |
|  |  | APPLICANT<br>Weis et al.      |                             |
|  |  | FILING DATE<br>Not Yet Known  | GROUP<br>Not Yet Known      |

## U.S. PATENT DOCUMENTS

| EXAMINER INITIAL |    | DOCUMENT NUMBER | DATE    | NAME              | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|----|-----------------|---------|-------------------|-------|----------|----------------------------|
|                  | AA | 3,223,045       | 12/1965 | William H. Shope  |       |          |                            |
|                  | AB | 3,291,064       | 12/1966 | Michael R. Foster |       |          |                            |
|                  | AC | 4,722,509       | 02/1988 | Delker et al.     |       |          |                            |
|                  | AD | US 2002/0079471 | 06/2002 | Chung-Shan Shen   |       |          |                            |

## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT NUMBER | DATE    | COUNTRY         | CLASS | SUBCLASS | TRANSLATION |
|--|----|-----------------|---------|-----------------|-------|----------|-------------|
|  |    |                 |         |                 |       |          | YES      NO |
|  | AE | 380 042         | 08/1964 | Switzerland     |       |          | X           |
|  | AF | 1 910 493       | 02/1965 | Germany         |       |          | X           |
|  | AG | 2 576 939       | 08/1986 | France          |       | *        |             |
|  | AH | 35 09 666       | 09/1986 | Germany         |       |          | X           |
|  | AI | 38 35 143       | 04/1990 | Germany         |       | *        |             |
|  | AJ | 40 39 337       | 07/1991 | Germany         |       | *        |             |
|  | AK | 198 05 691      | 08/1999 | Germany         |       | *        |             |
|  | AL | 198 51 151      | 05/2000 | Germany         |       | *        |             |
|  |    |                 |         | *=Abstract only |       |          |             |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

German Patent and Trademark Office

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In this report the following references are noted for the first time. The indicated numbering will be used throughout further proceedings.

E1: DE 40 39 337 A1

E2: DE 198 05 691 A1

E3: DE 35 09 666 A1

From E1, in particular Figure 1 and the description at Column 2 Line 3-5, a sanitary outlet armature with a liquid guide, that opens into a fitting outlet, in an area of which a plumbing functional unit in the form of an insertion cartridge is located, is known. Herein is the liquid guide at least in the opening area of the fitting outlet provided with a diameter that is adapted to the insertion cartridge and the insertion cartridge can be inserted into the fitting outlet from the opening side and is held removably therein.

Therefore E1 shows all the characteristics of claim 1. Claim 1 is therefore lacking novelty and its subject matter is not protectable.

Claim 11 is similarly not protectable.

The subject of dependent claims 2, 3 and 10 is also known from E1. Claims 2, 3 and 10 therefore also lack novelty and their subject matter is not protectable.

Dependent claims 4-9 which depend from claim 1 are directed to a particular construction of the sanitary outlet armature in which a basis for patentability is not recognized in that the person skilled in the art would understand the characterizing features to be known to the extent that they are not specifically shown in the state of the art or are at least obvious. The following is noted as shown in the references:

For claims 4-9: E2, Fig. 1

For claim 8: E3, claim 4 and the description at page 5, paragraph 2.

The subject matter of claims 4-9 therefore lack an inventive step. Claims 4-9 are therefore also not protectable.

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